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IN THE SENATE OF THE UNITED STATES,

JUNE 28, 1852.

Read twice, and referred to the Committee on Public Lands.

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**AN ACT**

Making grants of lands to aid in the construction of railroads,  
and for other purposes.

1       *Be it enacted by the Senate and House of Repre-*  
2   *sentatives of the United States of America in Congress*  
3   *assembled,* That there is hereby severally granted to the  
4   States named herein, the following amounts of public land  
5   respectively, for the purposes hereinafter mentioned, viz :  
6   To Missouri, three million acres ; to Alabama, two mil-  
7   lion five hundred thousand acres ; to Iowa, three million  
8   acres ; to Michigan, two million five hundred thousand  
9   acres ; to Wisconsin, two million five hundred thousand  
10   acres ; to Louisiana, two million five hundred thousand  
11   acres ; to Mississippi, two million acres ; to Florida, two  
12   million acres ; to Arkansas, three million acres ; to Cali-  
13   fornia, three million acres ; to Illinois, one million acres ;  
14   to Indiana, all the public lands not sold, located, or re-  
15   served, lying within her limits, and one million acres in

16 addition thereto ; to Ohio, all the public land not sold, lo-  
 17 cated or reserved, lying within her limits, and two million  
 18 acres in addition thereto, and to each of the States of  
 19 Maine, New Hampshire, Vermont, Massachusetts, Rhode  
 20 Island, Connecticut, New York, New Jersey, Pennsylva-  
 21 nia, Delaware, North Carolina, South Carolina, Georgia,  
 22 Maryland, Virginia, Kentucky and Tennessee, at the rate  
 23 of one hundred and fifty thousand acres, for each Senator  
 24 and Representative in the thirty-second Congress, from  
 25 said States respectively, and to each of the organized  
 26 Territories and the District of Columbia, one hundred and  
 27 fifty thousand acres.

1       SECT. 2. *And be it further enacted*, That the eleven  
 2 States in the preceding section first named, are authorized  
 3 to apply the proceeds of the lands hereby severally granted  
 4 to them to aid in the construction of railroads in the States  
 5 respectively. And a right of way through the public lands  
 6 is hereby severally granted to the said States, and they  
 7 are severally authorized to take necessary materials of  
 8 earth, stone and timber, for the construction of the said  
 9 railroads respectively, from the public lands adjacent  
 10 thereto ; and in locating each of the said railroads, and  
 11 assigning the limits thereto, no more land shall be taken  
 12 from the United States than is necessary for the conveni-  
 13 ent construction and use of each of said railroads respec-

14 tively, including stations and the public buildings of all  
15 kinds connected with said roads, turn-outs, and such other  
16 appurtenances as are necessary or usually enjoyed by rail-  
17 road companies; and a copy of the location of said sev-  
18 eral roads respectively, made under the direction of the  
19 legislature of each State in which said roads are made,  
20 shall be forwarded to the proper local land offices, and the  
21 General Land Office at Washington city, within ninety  
22 days after the same are completed respectively, and shall  
23 be duly recorded; and there is hereby severally granted  
24 to each of the eleven States in the preceding section first  
25 named respectively, the amount of land therein specified,  
26 for the purpose of making railroads therein respectively,  
27 as aforesaid, to be taken along the entire length of the  
28 line or route of said several railroads, so far as the United  
29 States own lands on the line of said several roads, in man-  
30 ner following, viz: every alternate section of land desig-  
31 nated by even numbers for six miles in width on each side  
32 of said several railroads; but in case it shall appear that  
33 the United States have, when the lines or routes of any of  
34 said roads are definitely fixed in the manner and by the  
35 authority aforesaid, sold any section or any part thereof,  
36 granted aforesaid, or that the right of pre-emption has at-  
37 tached to the same, then it shall be lawful for any agent or  
38 agents to be appointed by the Governor of each of said

39 States respectively, to select, subject to the approval of  
40 the Secretary of the Interior, from the lands of the United  
41 States most contiguous to the tiers or sections above speci-  
42 fied, so much land in alternate sections or parts of sections  
43 as shall be equal to such lands as the United States have  
44 sold or to which the right of pre-emption has attached as  
45 aforesaid, which lands (thus selected in lieu of those sold  
46 or to which pre-emption rights have attached as aforesaid,  
47 together with the sections or parts of sections designated  
48 by even numbers as aforesaid, and appropriated as afore-  
49 said,) shall be held by each of the said eleven States first  
50 named respectively, to the amount in the preceding sec-  
51 tion named for each of the said several States, for the uses  
52 and purposes aforesaid; but the lands to be so located  
53 and selected for and on account of each of said roads shall  
54 in no case be more than six sections of land for each mile  
55 of said road: *Provided*, That the lands hereby granted to  
56 the said eleven first named States shall be exclusively ap-  
57 plied to construct or aid in the construction of railroads  
58 in said States respectively, and shall be sold and disposed  
59 of only as the work progresses, and in proportion to the  
60 length of railroad completed upon each of said roads, and  
61 the same shall be applied to no other purpose: *And pro-*  
62 *vided also*, That any and all lands heretofore reserved to  
63 the United States by any act of Congress, or in any other

64 manner by competent authority for the purpose of aiding  
 65 in any object of internal improvement, or for any other  
 66 purpose whatever, shall be and the same are hereby re-  
 67 served to the United States from the operation of this act,  
 68 except so far as it may be found necessary to locate the  
 69 routes of said railroads through such reserved lands, in  
 70 which case the right of way only shall be and is hereby  
 71 granted.

1       SECT. 3. *And be it further enacted*, That of the lands  
 2 granted by this act to the said first named eleven States,  
 3 a portion thereof shall be applied in conformity with the  
 4 foregoing provisions, to aid in the construction of the rail  
 5 roads already commenced by said States respectively, or  
 6 for which said States have made appropriations or pledged  
 7 the credit of said States respectively, and the remainder  
 8 of the land hereby granted to each of said several States,  
 9 to be applied in the manner aforesaid, to aid in the con-  
 10 struction of such other railroads as the legislatures of said  
 11 several States may respectively designate.

1       SECT. 4. *And be it further enacted*, That the nineteen  
 2 States in said first section of this act last named, and said  
 3 Territories and District are severally authorized to apply  
 4 the proceeds of the lands hereby severally granted to each  
 5 of said States, Territories and District, to the support of  
 6 schools or for other useful public purposes. And the Com-

7   missioner of Public Lands, under the direction of the  
8   Secretary of the Interior, shall issue to each of said nine-  
9   teen States, said Territories and District respectively, land  
10   warrants to the amount in all to which each of said nine-  
11   teen States and said Territories and District are respec-  
12   tively entitled under this act, (except so far as the lands  
13   granted to Ohio and Indiana are situated within the limits  
14   of said States;) and said nineteen States and said Terri-  
15   tories and District, are severally authorized to sell and  
16   dispose of said land warrants, and the same are to be valid  
17   and effectual in the hands of any owner or holder thereof,  
18   and may be located by such owner or holder upon any  
19   public lands subject to private entry, in the same manner  
20   as land warrants for military services are authorized by  
21   law to be located. And the title of the land so located by  
22   any owner or holder of said land warrants, shall be secured  
23   and perfected to such owner or holder in the same man-  
24   ner as other land warrants issued by the United States.  
25   Said land warrants shall be so engraved and printed as to  
26   prevent deception and counterfeiting, shall be signed by  
27   the Secretary of the Interior or the Commissioners of the  
28   Public Lands, or for them by such other persons as the  
29   Secretary may direct, and countersigned by the Governor  
30   of each State receiving the same, or by such other officers  
31   as the said nineteen States, Territories and District may

32 respectively designate for that purpose; and said land  
 33 warrants shall be for not less than eighty nor over one  
 34 hundred and sixty acres each: *Provided*, That no State,  
 35 Territory or District shall be authorized to locate any  
 36 warrants in its own name or for its own benefit; and that  
 37 no warrant issued under the provisions of this act shall be  
 38 located upon any lands to which there shall be a pre-emp-  
 39 tion right, or on which there shall be an actual settlement  
 40 and cultivation, except by the person holding such pre-  
 41 emption right, or by such settler and cultivator.

1       SECT. 5. *And be it further enacted*, That each and  
 2 all of the railroads in any State in the Union, made either  
 3 wholly or in part from the proceeds of the lands granted  
 4 by this act, are hereby made and declared post-roads, and  
 5 shall forever hereafter, at all times, transport the mails,  
 \* 6 military stores, forces and property of the United States,  
 7 under the direction of the proper officers thereof, and Con-  
 8 gress may by law fix the rate of compensation to be al-  
 9 lowed for such services.

1       SECT. 6. *And be it further enacted*, That all mineral  
 2 lands are hereby reserved to the United States from the  
 3 operation of this act, except such as are by law subject to  
 4 private entry by individuals.

1       SECT. 7. *And be it further enacted*, That all the land  
 2 granted (by any other act) during the present session of

3 Congress to any State, to aid in the construction of any  
4 railroad therein, shall be deducted from the amount granted  
5 by this act to said State.

Passed the House of Representatives, *June 26, 1852.*

Attest:

JOHN W. FORNEY, *Clerk.*